United Nations S/2001/1152

Security Council

Distr.: General
6 December 2001

Original: English

Letter dated 4 December 2001 from the Ministers for Foreign Affairs of Cameroon, Ghana, Tunisia and Zimbabwe and from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

The five-member Committee established by the Organization of African Unity (OAU), for the follow-up to the Lockerbie issue has the pleasure to inform you that it held a meeting in New York on Tuesday, 13 November 2001, in which it discussed this issue.

The Committee wishes the Security Council to take note of the following.

A solution had been reached for the Lockerbie issue in accordance with Security Council resolution 1192 (1998), which stipulated that the two suspects be tried before a Scottish Court sitting in the Netherlands and that, as soon as the suspects appeared before the Court, the sanctions imposed upon the Libyan Arab Jamahiriya would be suspended, subsequently to be lifted when the Secretary-General of the United Nations submitted the report requested from him under paragraph 16 of Security Council resolution 883 (1993).

The Committee emphasized the decisions taken by the African Summit Conferences held in Harare (1997), Ouagadougou (1998), Algeria (1999), Lomé 2000) and Lusaka (2001), all of which called for the lifting of the sanctions imposed on the Libyan Arab Jamahiriya and also noted that, despite the fact that the two suspects appeared before the Court, and that a period of almost two and a half years has elapsed since the submission of the above-mentioned report of the Secretary-General, which confirmed the full cooperation of the Libyan Arab Jamahiriya with the Court, and the pronouncement of the Court sentence on 31 January 2001, the Security Council has failed to lift the said sanctions.

The Organization of African Unity, which was a major party, together with the League of Arab States, in providing the solution that was reached, reiterates its deep regret that the Security Council has not adopted a resolution calling for the lifting of the sanctions imposed on the Libyan Arab Jamahiriya.

In this regard, the Libyan Arab Jamahiriya may rightfully look with suspicion and scepticism upon the procrastination in lifting the sanctions to which it is subjected, particularly after the Court decision has been issued. The said decision has, in fact, cast a shadow of doubt concerning the possible influence exerted by parties outside the legal framework of the Court. The Organization of African Unity

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has equally the right to express its deep concern about the continuation of these sanctions.

While the five-member Committee reiterates its salutations to the Libyan Arab Jamahiriya for its cooperation with the Scottish Court and response to the relevant Security Council resolutions, and calls upon the Security Council to lift immediately and irrevocably the sanctions imposed on the Libyan Arab Jamahiriya.

Attached to the present letter, please find the decision of the Lusaka Conference in this respect (see annex).

We would be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(*Signed*) François-Xavier **Ngoubeyou**
Minister for Foreign Affairs of Cameroon

(*Signed*) Hackman **Owusu-Agyemang**
Minister for Foreign Affairs of Ghana

(*Signed*) Habib Ben **Yahia**
Minister for Foreign Affairs of Tunisia

(*Signed*) Matia **Semakula Kiwanuka**
Ambassador and Permanent Representative of Uganda

(*Signed*) S. G. **Mudenge**
Minister for Foreign Affairs of Zimbabwe

Annex to the letter dated 4 December 2001 from the Ministers for Foreign Affairs of Cameroon, Ghana, Tunisia and Zimbabwe and from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

Decision on the Lockerbie issue

The Assembly:

1. TAKES NOTE of the Report;

2. RECALLS decision EAHG/Dec.3 (V) adopted by the 5th Extraordinary Session of the Assembly of Heads of State and Government, held in Sirte, Libyan Arab Jamahiriya, on 5 March 2001;

3. CALLS UPON the UN Security Council to immediately and definitively lift the unjust sanctions and suspend the embargo imposed on Libya and which has no legal or moral justification following the positive stand, civilized handling and great cooperation displayed by the Jamahiriya in dealing with this issue;

4. DEMANDS the immediate release of the Libyan citizen Abdel Basset Al-Megrahi who has been convicted for political reasons totally unrelated to law; his continued detention may be regarded as an abominable kidnapping under all applicable laws and customs;

5. REAFFIRMS the right of the Great Jamahiriya to compensation for the material and moral damage it has suffered;

6. REQUESTS the Secretary-General to initiate the necessary steps, including the mobilization of financial resources, for the establishment of the Commission of Jurists which was established by decision EAHG/Dec.3 (V) to follow up on all aspects related to the legal proceedings of the Lockerbie issue;

7. RECOMMENDS that the Current Chairman and other members of his Bureau make use of their good offices to undertake the necessary contacts with all the concerned parties with a view to ensuring a speedy and satisfactory resolution of the issue.